

# The Gazette of India

## EXTRAORDINARY PART II—Section 3 PUBLISHED BY AUTHORITY

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No. 599] NEW DELHI SATURDAY, DECEMBER 21, 1957/AGRAHAYANA 30, 1879

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### ELECTION COMMISSION, INDIA NOTIFICATION

*New Delhi-2, the 18th December, 1957/27th Agrahayana, 1879 Saka*

S.R.O. 4080.—Whereas the election of Shri Keshava Deva Malaviya and Shri Ram Garib as members of the House of the People from the Basti constituency, has been called in question by an election petition duly presented under Part VI of the Representation of the People Act, 1951 (43 of 1951), by Shri Lal Rudra *alias* Lal Rudra Narain Pal son of Shri Harivansh *alias* Hari Vansh Prasad Pal, Athadama House, Malaviya Road, Basti (U.P.);

And whereas the Election Tribunal appointed by the Election Commission in pursuance of the provisions of section 86 of the said Act, for the trial of the said election petition, has, in pursuance of the provisions contained in section 111 of the said Act, sent a report of the final withdrawal of the petition to the Commission;

Now, therefore, in pursuance of the provisions of section 111 of the said Act, the Election Commission hereby publishes the said report of the Tribunal.

IN THE COURT OF THE MEMBER, ELECTION TRIBUNAL,  
ALLAHABAD.

ELECTION PETITION No. 324 OF 1957

Shri Lal Rudra *alias* Lal Rudra Narain Pal.—*Petitioner.*

*versus*

Shri Keshwava Deo Malaviya and 5 others.—*Respondents.*

PRESENT.—Shri K. K. Banerji.

Learned lawyers for both parties are present. Copy of the publication of the notice of withdrawal in the Gazette of India, has been received. No one has come forward with a prayer to be substituted as petitioner in place of Shri Lal Rudra *alias*, Lal Rudra Narain Pal, the petitioner in this election petition, although, the period of 14 days has already elapsed. I am satisfied, after going through the petition and after hearing the learned lawyers appearing for the parties, that the application for withdrawal has not been induced

by any bargain or any consideration which ought not to be allowed. Accordingly, I allow the withdrawal of the election petition filed by the petitioner against Shri Keshava Deo Malaviya and others under section 109 (1) of the Representation of the People Act. As the application for withdrawal is granted and as no person has been substituted as petitioner under section 110 (3) (c) of the Act in place of the party withdrawing, this matter of withdrawal be now reported to the Election Commission forthwith under section 111 of the Act. As already directed in my previous order, dated the 18th of October, 1957, the petitioner shall pay a sum of Rs. 50 as costs to Respondent No. 1.

*The 4th December, 1957.*

(Sd.) K. K. BANERJI.

[No. 82/324/57/7397.]

By Order,

A. KRISHNASWAMY AIYANGAR, Secy.

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### ERRATUM

In the Election Commission, India, Notification No. 100/1/4/57 (2), dated the 17th December, 1957, published as S.R.O. No. 4007, in the Gazette of India Extraordinary, Part II—Section 3, dated the 17th December, 1957, (Issue No. 590), the following correction is to be made:—

At page 3071, against (a)—

*For the words "the 17th December, 1957" read "the 27th December, 1957".*